United Nations S/PV.6090

Security Council

Sixty-fourth year

Provisional

6090th meeting

Tuesday, 10 March 2009, 10 a.m.

New York

President:	Mr. Dabbashi	(Libyan Arab Jamahiriya)
Members:	Austria	Mr. Mayr-Harting
	Burkina Faso	Mr. Kafando
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Jurica
	France	Mr. Ripert
	Japan	Mr. Takasu
	Mexico	Mr. Heller
	Russian Federation	Mr. Churkin
	Turkey	Mr. İlkin
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Sir John Sawers
	United States of America	Ms. Rice
	Viet Nam	Mr. Le Luong Minh

Agenda

Non-proliferation

Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)

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09-26005 (E)

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Non-proliferation

Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)

The President (*spoke in Arabic*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Ambassador Yukio Takasu, Chairman of the Security Council Committee established pursuant to resolution 1737 (2006). I now give the floor to Ambassador Takasu.

Mr. Takasu (Japan): This is the ninth 90-day report to the Security Council in accordance with paragraph 18 (h) of resolution 1737 (2006) and the first in my capacity as Chairman of the Committee. The report covers the period from 11 December 2008 to 10 March 2009, during which time the Committee held no meetings but conducted its work using the silence procedure.

Under the chairmanship of my predecessor, Ambassador Jan Grauls of Belgium, the Committee responded to a written query received from a Member State seeking clarifications on aspects of the sanctions regime relevant to interactions with an entity designated in the annex to resolution 1737 (2006). The Committee also approved its annual report for 2008, contained in document S/2008/839.

In the new year, after I had taken over, the Committee received from the secretariat of the International Atomic Energy Agency (IAEA) a copy of a report by the IAEA Director General, entitled "Technical Cooperation: The Agency's Proposed Programme for 2009-2011", as well as an addendum to that report, entitled "Evaluation of Technical Cooperation to be provided to Iran during the Technical Cooperation Cycle 2009-2011". The Board of Governors of the IAEA had approved the report and concurred with the evaluation of technical cooperation to be provided to Iran in the light of resolutions 1737 (2006), 1747 (2007) and 1803 (2008).

As has been the case in the past, the Committee received two notifications — one at the end of last year and the other at the beginning of this year — from the Russian Federation with reference to paragraph 5 of resolution 1737 (2006), concerning the delivery of items for use in the nuclear power plant at Bushehr, Iran.

On 3 February 2009, the Committee received a letter from a Member State seeking guidance with respect to its inspections of cargo on a vessel carrying its flag that had been found to be carrying arms-related materiel. The Committee responded to that letter on 6 February, stating that the transfer of the materiel in question constituted a violation of paragraph 5 of resolution 1747 (2007), which states that

> "Iran shall not supply, sell or transfer directly or indirectly from its territory or by its nationals or using its flag vessels or aircraft any arms or related materiel, and that all States shall prohibit the procurement of such items from Iran by their nationals, or using their flag vessels or aircraft".

The Member State provided additional information to the Committee on 12 February, and the Committee subsequently responded on 24 February. On 9 March 2009 — yesterday — the Committee sent letters to the concerned Member States, inviting them to provide within 10 working days any additional relevant information regarding that transaction that may help the Committee carry out its mandate to examine and take appropriate action on information regarding alleged violations of the measures imposed in resolutions 1737 (2006), 1747 (2007) and 1803 (2008).

Finally, with regard to reporting by States on their implementation of all the relevant measures set out in resolutions 1737 (2006), 1747 (2007) and 1803 (2008), the updated figures are as follows: 91 reports under resolution 1737 (2006), 78 reports under resolution 1747 (2007) and 65 reports under resolution 1803 (2008).

The President (*spoke in Arabic*): I shall now give the floor to members of the Security Council.

Ms. Rice (United States of America): I thank Ambassador Takasu for his report as Chairman of the Security Council Committee established pursuant to resolution 1737 (2006). We are grateful for the

leadership that he has shown in the opening months of his term as Chairman.

Today marks the Security Council's first meeting on Iran since the release of the most recent report of the Director General of the International Atomic Energy Agency (IAEA) — a report that makes it clear that Iran is still not complying with its international nuclear obligations, including those set out in resolutions of the Council. Today's meeting is also the first time that the Council has discussed Iran since the sanctions Committee examined the case of a merchant vessel found to be shipping arms-related materiel from Iran to Syria. Let me focus on three key issues.

First, the latest IAEA report contains troubling findings that deserve the Council's sustained attention. As the United States and other members of a united P5+1 noted recently in Vienna, we echo the concerns expressed in the IAEA Director General's report, including with regard to the remaining issues that give rise to continuing concern that Iran's nuclear programme has military dimensions. Once again, the IAEA has documented Iran's ongoing refusal to comply with the Security Council's demands, including the clear requirement that Iran suspend its proliferation-sensitive nuclear activities. Iran also still refuses to respond constructively to IAEA questions about its past work to develop a nuclear-weapons capability. The United States urges its fellow Security Council members not only to take note of the IAEA's serious findings, but also to vigorously support the IAEA in its continuing investigations of these critical matters.

Secondly, there is the question of a new violation of Security Council resolutions on Iran that was brought to the Committee's attention last month. We have carefully studied the report regarding the inspection of the *M/V Monchegorsk*, which was transporting arms-related materiel from Iran to Syria. The Iran sanctions Committee concluded that that transfer violated Security Council resolution 1747 (2007). The United States supports the steps that the Committee has already taken to address that violation, and we hope that the Committee will take appropriate action under its mandate.

Finally, the United States believes that the Iran sanctions Committee has an essential role to play, even as we offer Iran a new opportunity to increase international confidence in its words and actions. But, in the light of Iran's continued failure to comply with its obligations, the Iran sanctions Committee should redouble its efforts to ensure the full and robust implementation of Security Council resolutions 1737 (2006), 1747 (2007) and 1803 (2008).

As the Council knows, the United States is currently engaged in a review of its policies towards Iran. As President Obama, Secretary of State Clinton, I and other leaders of my Government have noted, the United States will not waver in its determination to ensure that Iran does not obtain nuclear weapons. But the United States also sees an opportunity — a chance for the Iranian Government to demonstrate that it is willing to unclench its fist and begin a serious, responsible discussion about a range of issues. President Obama has already said that we are prepared for principled engagement with Iran, and we will ensure that such engagement is consistent with the decisions of this body.

Iran has very real responsibilities to fulfil. The international community must stand together, firm in ensuring that they are met.

Mr. Ripert (France) (*spoke in French*): I should like at the outset to congratulate our colleague the representative of Japan on his quarterly briefing in his capacity as Chairman of the Security Council Committee established pursuant to resolution 1737 (2006).

The Director General of the International Atomic Energy Agency (IAEA) has just issued a very clear report. Despite the Council's injunctions, Iran is operating nearly 4,000 centrifuges and is set to start operating another 1,500. It has produced nearly a ton of lightly enriched uranium, an amount that is all the more significant and worrying for having been underestimated in the Agency's previous reports.

Iran has refused to cooperate with the Agency. It has undermined the Agency's verification powers by refusing access to the heavy water reactor under construction at Arak. That reactor has been concealed in such a way that activity is no longer visible from the air. It has refused to provide the design of the reactor whose construction at Darkhovin has been announced. It has also refused to implement the transparency measures known as Code 3.1. Those measures, which Iran must apply, are indispensable for short-term comprehension of its projects in the nuclear field. At the most recent Board of Governors meeting, the

Agency's legal adviser made it very clear that that refusal is a violation of Iran's safeguards agreement. Concerning the study on the militarization of the programme, Iran continues to refuse to respond to the Agency's questions and to give the Agency's inspectors access to the relevant individuals and installations. Lastly, Iran refuses to implement the Additional Protocol.

The Agency has thus concluded that it has made no progress. It cannot provide credible assurances about the absence of undeclared activities or nuclear materials in Iran. At the same time, Iran has not responded to the proposals made to it in July 2008 to resume negotiations. We must therefore hope that Iran will reassess its behaviour, stop obstructing the Agency's efforts, take the hand that has again been extended to it and finally take the actions expected from it to restore confidence.

For our part, the responsibility of all and of the Security Council Committee established pursuant to resolution 1737 (2006) is rigorously to implement the rules of the Security Council. In that regard, today's report of the Committee is both a source of concern and a reason for hope.

Our first cause for concern: A vessel full of weaponry materials — shells of all sorts, bullets, explosives — departed Bandar Abbas, Iran, for Latakia, Syria, in gross violation of resolution 1747 (2007). Moreover, the Committee has asked the Syrians and Iranians to explain themselves within 10 days. We intend to closely monitor the follow-up of that extremely serious matter. We must do everything to prevent any such further violations. The enhanced vigilance of all is indispensable.

But there is also a reason for hope. The Cypriot Government assumed its responsibilities and quickly noted that the cargo of that ship could in no way be conveyed to its destination or returned to Iran. It took the only decision that it could — to keep it on its territory. We must all respond in the same way. States that take these kinds of measures should know that they can count on the solidarity and mutual aid of others — a solidarity which is even mandatory under Security Council resolutions.

Finally, we must learn several lessons from this affair. We should observe total intransigence when confronted with violation attempts. We need to cooperate further among ourselves, systematically report cases of violations to the Committee and investigate them to their end. Finally, the activity and vigilance of the Committee must be strengthened. We are ready to cooperate with the Chairman to achieve that.

Sir John Sawers (United Kingdom): I would like to join others in thanking Ambassador Takasu for his first report to the Council and express my delegation's thanks to him and his team for accepting that important responsibility and for the excellent start that they have made in leading the Committee's work.

The United Kingdom continues to have serious concerns about Iran's nuclear programme. The latest report of the International Atomic Energy Agency (IAEA), which was issued last month, makes clear that, in defiance of Security Council resolutions, Iran has refused to suspend all its proliferation and sensitive nuclear activities, namely, its uranium enrichment, related activities and various heavy water projects. The International Atomic Energy Agency reports that Iran now has more than 5,500 centrifuges installed, of which about 4,000 are actively enriching uranium for which Iran has no plausible civilian use.

Iran has also refused access to IAEA inspectors to the heavy water reactor at Arak for the second time in a row. That is of particular concern because the design of the reactor at Arak is ideally suited to producing plutonium that could be used for nuclear weapons. The IAEA report makes clear that Iran's refusal to allow access has made it difficult to report in any meaningful way on the construction of the reactor, as requested by the Security Council. The report also repeats previous statements regarding the total absence of cooperation by Iran in connection with issues that give rise to concerns about a possible military dimension to Iran's nuclear programme.

In the light of that, the United Kingdom calls upon Iran to answer the IAEA's questions and implement the transparency measures in the IAEA reports. We further call upon Iran to implement and ratify promptly the Additional Protocol and to implement all measures required by the Agency in order to build confidence in the exclusively peaceful nature of Iran's nuclear programme.

The United Kingdom has made clear many times that we do not deny Iran's right to civil nuclear power under the Treaty on the Non-Proliferation of Nuclear Weapons. In 2008, the Governments of Britain, France,

Germany and China, Russia and the United States — the so-called E3+3 — refreshed their broad-ranging offer to Iran of June 2006. That offer included help to develop civil nuclear power if Iran suspended enrichment and cooperated in a range of other areas. But Iran has failed to respond substantively to that offer and, so far, has not seriously engaged even on the suggestion of a freeze-for-freeze agreement.

We and our partners in the E3+3 continue to pursue a dual-track strategy — sanctions to persuade Iran to change course and dialogue to lead to full negotiations if the Iranians suspend their enrichment-related activities. Once that has been achieved, we will be able to forge a more productive and positive relationship between Iran and the international community. But if Iran remains determined to isolate itself by ignoring the legally binding demands of the Security Council, then the international community must remain similarly determined to stand together to maintain pressure on Iran to meet its international obligations and to make clear to Iran that its choices will have a cost.

The United Kingdom is grateful for the vigilance and cooperation demonstrated by the Republic of Cyprus in acting to prevent the transfer and procurement of arms and related materiel from Iran on the vessel *MV Monchegorsk*. That was a clear violation of Security Council resolution 1747 (2007), which requires, as Ambassador Takasu has set out, that Iran shall not supply, sell or transfer from its territory any arms or related materiel and that all States shall prohibit the procurement of such items from Iran. The transfer and procurement breach those international obligations. The United Kingdom looks forwards to the Committee receiving explanations from Iran and Syria as to why the shipment was permitted by Iran as the reported State of origin and as to the involvement of Syria as the reported State of destination.

The President (*spoke in Arabic*): I shall now make a statement in my capacity as the representative of the Libyan Arab Jamahiriya.

First, I should like to express my thanks to Ambassador Takasu, Chairman of the Committee established pursuant to resolution 1737 (2006), for his useful briefing to the Security Council on the activities of the Committee in the past 90 days. We welcome the Committee's adoption of its annual report for 2008 (S/2008/839).

Once again, Libya stresses the need for intensified international efforts to find a peaceful solution to the question of Iran's nuclear programme in accordance with the provisions of resolution 1803 (2008) through stepped-up diplomatic efforts to encourage dialogue and consultations with Iran towards a comprehensive and appropriate long-term solution to this issue. This would open the way for the establishment of full relations and fruitful cooperation with the Islamic Republic of Iran on the basis of mutual respect and international confidence in the civilian nature of Iran's nuclear programme.

In this regard, the Libyan Arab Jamahiriya calls on all parties concerned to initiate direct negotiations towards this objective as soon as possible. The Libyan Arab Jamahiriya reiterates its conviction that a comprehensive and non-selective approach must be adopted towards non-proliferation. All States, without exception, must subject their nuclear installations to International Atomic Energy Agency (IAEA) safeguards.

We regret that the Security Council has not, to date, given appropriate attention to the issue of Israel's nuclear weapons, even though Israel refuses to accede to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) or to subject its installations to IAEA safeguards. This is frustrating. The peoples of the region aspire to a nuclear-weapon-free Middle East on the basis of the decision taken by the States parties to the NPT at their Review Conference and the relevant General Assembly resolutions.

I now resume my functions as President of the Council.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.35 a.m.